

### IN THE U.S. PATENT AND TRADEMARK OFFICE

Re application of

Yan Wang et al.

: Examiner: Cho, Hong Sol

Filed: Herewith

: Group Art: 2619

Serial No. 10/702,217

Filed: February 17, 2004

For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

# TRANSMITTAL OF RESUBMISSION OF PREVIOUSLY SUBMITTED RESPONSE TO NON-FINAL OFFICE ACTION DATED APRIL 8, 2008

Director for Patents U.S. Patent and Trademark Office P.O. Box 1450 Arlington, VA 22313-1450

Sir:

This communication is an explanation and resubmission of our submission dated and filed on June 23, 2008 which was a response to the Non-final Office Action dated April 8, 2008.

\*\*\*If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.

# CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☑ Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

FACSIMILE ☐ Transmitted by facsimile to the U.S. Patent and Trademark Office.

Signed and Filed

Date: Oct. 15, 2008

Manuller Oberdelans Mariellen Chapdelaine (type or print name of person certifying)

On October 14, 2008 the Examiner, Hong Cho, phoned our office to inform us that no response had been received by the USPTO to the Non-Final Office Action dated April 8, 2008. In reviewing the situation, we noted that our filed response has not been entered into the PAIR system in addition to not having been received by the Examiner. We concluded that it has been lost in the USPTO since the receipt postcard was returned to us. On October 15, 2008, we phoned the examiner's supervisor, Wing Chan, to ask for advice on the correct manner to resubmit the lost paperwork. He instructed us to resubmit copies of the original paperwork and the stamped return receipt postcard along with a letter of explanation.

- a copy of the originally mailed "Further Request For Reconsideration" dated June 23, 2008.
- a copy of stamped return receipt postcard which was returned to the addressee.

Respectfully submitted,

Date: Oct. 15, 2008

Anatoly Frenkel Registration No. 54,106

WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON LLP 755 Main Street, PO Box 224 Monroe CT 06468 (203) 261-1234



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Applicant: Yan Wang  For ADAPTIVE SPREADING FACTOR BISED ON POWER CONTROL  Serial No Patent No. 10/702, 2.17 Filed/lissued: 2/17/09  The following papers were received in the U.S. Patent and Trademark Office:
RCE Amendment Transmittal Amendment and/or Response Comp of Fling Requirements Transmittal Copy of Notice of Missing Parts Decl. and Power of Atty. Assignment w/Cover Sheet Cert. Copy of Priority Doc. w/ransmittal Maintenance Fee Transmittal Assignment w/Cover Sheet Maintenance Fee Transmittal Amendment and/or Response Submission of Proposed Drawing Amendment and Or P
Express Mail No.

Date Mailed: 6/3/68 Docket No. 944 -063. 103 -2

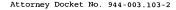
Please date stamp and return

Attorney: 424

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JUN 3 0 2008

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## FURTHER REQUEST FOR RECONSIDERATION

Director for Patents U.S. Patent and Trademark Office P.O. Box 1450 Arlington, VA 22313-1450

Sir:

In response to Non-final Office Action of April 8, 2008, the applicant responds as follows

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Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: June 23, 2008

Mariellen Chapdelaine (type or print name of person certifying)